

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

DONNA DORSEY DAVIS,	)	
as an individual and derivatively upon behalf of	)	
I-65 Properties, Inc.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No.: 2:06cv766-MHT
	)	
RICHARD M. DORSEY,	)	
as an individual and C D & O, LLC, as a	)	
necessary party,	)	
	)	
Defendants.	)	
	)	
AND	)	
	)	
RICHARD M. DORSEY, DORSEY MOTOR	)	
SALES, INC., and C D & O, Inc.,	)	
	)	
Counter-Plaintiffs,	)	
	)	
v.	)	
	)	
DONNA DORSEY DAVIS,	)	
	)	
Counter-Defendant.	)	

**MOTION TO DROP C D & O, LLC AS A DEFENDANT**

COMES NOW, the Plaintiff, Donna Dorsey Davis, by and through her counsel of record and does move this Honorable Court to enter an order dropping C D & O, LLC as a necessary defendant in the above style action. In support of this motion, Plaintiff shows unto this Court the following:

1. C D & O, LLC was named as an original Defendant and necessary party in Plaintiff's Complaint.
2. Plaintiff requests C D & O, LLC be dropped as a party to this action pursuant to Fed. R. Civ. Pro. 21.

WHEREFORE, THE ABOVE PREMISES CONSIDERED, the Plaintiff request this Honorable Court enter an order dropping C D & O, LLC as a necessary party in this action.

Respectfully submitted,

//s// Lindsay B. Erwin  
Lindsay B. Erwin, Esq.  
ASB-5299-Y59E  
Attorney for Plaintiff

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 18<sup>th</sup> day of June, 2007, I electronically filed the foregoing with the Clerk of the Court using electronic filing system which will send information of such filing to the following:

Clifford W. Cleveland  
Cleveland & Colley, P.C.  
P.O. Box 680689  
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//s// Lindsay B. Erwin  
OF COUNSEL